

THE HONORABLE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN MOAMLAE, EDWARD  
MALANDO WILLIAMS AND MAZZAR  
GERALD ROBINSON,

Defendants.

CASE NO. CR05-5784FDB

*STIPULATED* MOTION AND  
ORDER FOR CONTINUANCE OF  
TRIAL, PRETRIAL CONFERENCE  
AND PRETRIAL MOTIONS  
CUTOFF DATE

The defendants herein, Edward Malando Williams, by and through his counsel, Zenon P. Olbertz; Mazzar Gerald Robinson, by and through his counsel, Judith M. Mandel; and the Government, by and through its counsel, Kent Y. Liu, Special Assistant U.S. Attorney, hereby move that the trial presently scheduled for January 17<sup>th</sup>, 2006, be vacated, and that the trial be rescheduled to March 27<sup>th</sup>, 2006 at 9:00 a.m., and that the pretrial conference presently scheduled for January 5, 2006, be vacated and that the pretrial conference be rescheduled to a date to be determined by the court. Parties further move that the pretrial motions cutoff date presently scheduled for December 15, 2005, be vacated and that the pretrial motions cutoff date

*STIPULATED* MOTION AND ORDER FOR  
CONTINUANCE OF TRIAL, PRETRIAL  
CONFERENCE AND PRETRIAL MOTIONS  
CUTOFF DATE - 1

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TACOMA, WASHINGTON 98405  
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1 be reschedule to a date to be determined by the court.

2 The above request for continuance is being made as a result of the need for additional  
3 time to review the over 400 pages of discovery recently provided to defense counsel and the  
4 need for time to contact and interview witnesses listed in said discovery in preparation for trial  
5 and pretrial motions..

6 All defendants agree to waive their right to speedy trial to the date of April 14<sup>th</sup>, 2006,  
7 and will file said waivers of speedy trial with this court.

8 The parties believe that the ends of justice would be served by a continuance of the trial,  
9 pretrial conference, and the pretrial motions cutoff date in this matter.

10 DATED this 14<sup>th</sup>, day of December, 2005.

11 /s/  
12 By: \_\_\_\_\_  
13 Zenon P. Olbertz, WSB #6080  
14 Attorney for Edward M. Williams  
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16 /s/  
17 By: \_\_\_\_\_  
18 Judith M. Mandel, WSB #8677  
19 Attorney for Mazzar G. Robinson  
20

21 /s/  
22 By: \_\_\_\_\_  
23 Kent Y. Liu, WSB #21599  
24 Special Assistant U.S. Attorney  
25

*STIPULATED MOTION AND ORDER FOR  
CONTINUANCE OF TRIAL, PRETRIAL  
CONFERENCE AND PRETRIAL MOTIONS  
CUTOFF DATE - 2*

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ORDER

Before this court is a stipulated motion for continuance of the trial, pretrial conference and pretrial motions cutoff date (presently scheduled as follows: trial/January 17<sup>th</sup>, 2006; pretrial conference/January 5<sup>th</sup>, 2006, and pretrial motions cutoff/December 15<sup>th</sup>, 2005). The court finds, after a consideration of all relevant information and the circumstances of this case, that without this continuance the defendants will be prejudiced and the ability to properly prepare for trial would be impaired. Failure to grant a continuance under these circumstances would result in a miscarriage of justice. The ends of justice would best be served by granting of the motion for continuance. The ends of justice outweigh the best interests of the public and the defendants in a speedy trial.

For these reasons, the court finds the stipulated motion for continuance should be granted. The previously scheduled trial date is hereby VACATED. The trial shall be RESCHEDULED to March 27<sup>th</sup>, 2006 at 9:00 a.m. The previously scheduled pretrial conference date is hereby VACATED. The pretrial conference shall be RESCHEDULED to March 17, 2006 at 3:30 p.m.

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STIPULATED MOTION AND ORDER FOR  
CONTINUANCE OF TRIAL, PRETRIAL  
CONFERENCE AND PRETRIAL MOTIONS  
CUTOFF DATE - 3

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1 The previously schedule pretrial motions cutoff date is hereby VACATED. The pretrial  
2 motions cutoff shall be RESCHEDULED to January 25, 2006.

3 IT IS SO ORDERED.

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5 DONE this 22<sup>nd</sup> day of December, 2005.

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10   
FRANKLIN D. BURGESS

11 UNITED STATES DISTRICT JUDGE

12 /s/  
13 By: \_\_\_\_\_  
14 Zenon P. Olbertz, WSB #6080  
Attorney for Edward M. Williams

12 /s/  
13 By: \_\_\_\_\_  
14 Judith M. Mandel WSB #8677  
Attorney for Mazzar G. Robinson

15 /s/  
16 By: \_\_\_\_\_  
17 Kent Y. Liu, WSB #21599  
Special Assistant U.S. Attorney

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*STIPULATED MOTION AND ORDER FOR  
CONTINUANCE OF TRIAL, PRETRIAL  
CONFERENCE AND PRETRIAL MOTIONS  
CUTOFF DATE - 4*

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CERTIFICATE OF SERVICE

I hereby certify that on December 14<sup>th</sup>, 2005, I electronically filed the foregoing Stipulated Motion and Order for Continuance of Trial, Pretrial Conference and Pretrial Motions Cutoff Date with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent Y. Liu  
Special Assistant United States Attorney  
1201 Pacific Avenue, Suite 700  
Tacoma, WA 98402

Jerome Kuh  
Federal Public Defender's Office  
1331 Broadway, Suite 400  
Tacoma, WA 98402

Judith M. Mandel  
Attorney at Law  
524 Tacoma Avenue So.  
Tacoma, WA 98402

I hereby certify that on December 14<sup>th</sup>, 2005, I mailed the Stipulated Motion and Order for Continuance of Trial, Pretrial Conference and Pretrial Motions Cutoff Date to the following:

Edward Malando Williams  
Reg. #35730-086  
FDC at SeaTac  
P.O. Box 13900  
Seattle, WA 98198

DATED this 14<sup>th</sup>, day of December, 2005.

/s/

Sarah M. Heckman  
Legal Assistant

STIPULATED MOTION AND ORDER FOR  
CONTINUANCE OF TRIAL, PRETRIAL  
CONFERENCE AND PRETRIAL MOTIONS  
CUTOFF DATE - 5

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